

FIFTH DAY OF ANNUAL SESSION

Johnstown, NY

December 27, 2012

Roll Call – Quorum Present

Supervisors: Argotsinger, Born, Callery, DiGiacomo, Fagan, Gendron, Handy, Howard, Johnson, Kemper, Kinowski, Lauria, MacVean, Ponticello, Potter, Waldron

TOTAL: Present: 16 Absent: 4 (Supervisors Bradt, Capek, Ottalagano, Ottuso)

Chairman Gendron called the meeting to order at 1:00 p.m., with Supervisors Bradt, Capek, Ottalagano and Ottuso absent upon roll call. Following the Pledge of Allegiance to the Flag, Chairman Gendron asked if there was anyone from the public who wished to address the Board. There was no one present who wished to speak.

Chairman Gendron then recognized Anthony Basile, Information Services Director, who retired and is leaving County service on December 31, 2012. Chairman Gendron read and presented a Chairman's letter expressing the Board's appreciation to Mr. Basile. Mr. Basile thanked everyone on the Board for their support over the past thirteen (13) years.

REPORTS OF SPECIAL COMMITTEES

Soil and Water Conservation: Supervisor Ponticello advised that he attended a meeting in Ballston Spa for state level committees that govern the District and a lot of state legislation was discussed.

CHAIRMAN'S REPORT

Chairman Gendron stated that as the year 2012 closes out, he remains optimistic. He stated that the Board of Supervisors has positioned Fulton County for success in the future. The Finance Committee developed a three-year financial stability plan and the Board has "stuck to it". As Fulton County bridges into 2013 and 2014, it will have a lot of success. He thanked the Chairman of each Standing Committee for their hard work. He noted that the Board members attendance in total was very good this year and none of the Chairmen missed a single meeting, that he is aware of.

Chairman Gendron thanked the Board of Supervisors administrative support staff for an outstanding, professional job. He stated that he has a true appreciation of what they do. He stated that there are a lot of years of service among these individuals. He also stated that they have outlived a lot of Chairmen, but they really put out great work and keep our county in high regard. He stated that Fulton County is a small county, but powerful.

Chairman Gendron commended Administrative Officer Jon Stead for his dedication and commitment to Fulton County. He stated that he has had many long conversations with Jon and "he always makes the Chairman look good". Chairman Gendron stated that he was always fully prepared whenever he met with a Senator or Assemblyman due to Jon's preparation and support.

Chairman Gendron noted several accomplishments during 2012. He stated that committees were reduced from nine to seven. He stated that he feels this was successful in downsizing government. He noted that there were four new supervisors who are very responsive in their commitment to the County. He also recognized four economic development projects that will spur Fulton County ahead – C.G. Roxane water bottling plant, FAGE expansion with a grant from MVEDC for sewer plant upgrades for this project, the Tryon Technology Park and the Wal-Mart Supercenter. He also recognized the strengthened CRG Marketing Plan.

Chairman Gendron then mentioned the Records Management Room that was built at Fort Johnstown. He noted that two new Departments Heads were hired this year - Information Services and Probation. He also stated that the Finance Committee should be commended for the extra effort it took this summer in the interview process for the Information Services Director.

As far as the 2013 Budget, Chairman Gendron stated that “this is Fulton County’s budget, not Albany’s budget”. He stated that the Board did what it felt was good for the people it serves and their ability to pay. He further noted that Fulton County did not borrow any money and continues to be debt free.

Chairman Gendron stated that he likes everything about being Chairman. He stated that the most powerful piece for him is the FMCC graduation. He stated that this is a very moving experience. He recommended that all Supervisors attend this graduation, if possible.

Chairman Gendron stated his message for taxpayers is to shop Fulton County and keep sales tax here. He also stated that everyone should continue to recycle and this will extend the life of the landfill.

Chairman Gendron stated that he is honored to have served with a committed group of colleagues who believes that what it does is important. He stated, Thank you for being optimistic, God bless America and God bless the Board of Supervisors.

Jon Stead presented Chairman Gendron with a gift certificate on behalf of the Board of Supervisors for his service. Mr. Stead noted that Chairman Gendron is only one of six Supervisors who served two terms as Chairman. He stated this is a very important role because he is the representative for Fulton County. He stated that Chairman Gendron is articulate, likes to get out and meet with state officials and “puts the right face forward for the Board of Supervisors and for Fulton County”.

RESOLUTIONS

No. 499 (Resolution Authorizing Contract with Fulton County Center for Regional Growth for Business Development Marketing (2013): Supervisor Handy stated that he has had a lot of people ask him to provide an update on where this stands as far as open government to the people and what is happening with Centers for Regional Growth. Mr. Stead stated that the new structure with the Board of Supervisors is going to require more openness and transparency on the decision-making and CRG board meeting process compared to what it was. He stated that the Crossroads Incubator Corporation and Economic Development Corporation will be phased

out over the next few months. He stated that there have been several meetings with the new attorney who has taken over the case regarding a lawsuit against Bonadio, Jeff Bray and Peter Sciocchetti. This will be re-filed in the next two weeks. He stated that there is also a separate civil suit in Supreme Court against Mr. Bray, Mr. Sciocchetti and Attorney Paul Kolodziej to recover funds.

Supervisor Handy thanked Mr. Stead for this information. He stated this lets everyone know that "Fulton County is not rolling over".

No. 513 (Resolution Authorizing Sale of County-Owned Properties not meeting the Set Minimum Auction Price (2012 Online Sale): Supervisor Callery asked why the back taxes are so much, but the selling price is so low. Mr. Stead stated that all of these properties are vacant properties. These are back taxes on the parcel from when there were buildings on the property.

Upon a motion by Supervisor Howard, seconded by Supervisor Fagan and unanimously carried, the Board entered into Executive Session at 1:30 p.m. to discuss collective bargaining.

Upon a motion by Supervisor Callery, seconded by Supervisor DiGiacomo and unanimously carried, the Board re-entered into Regular Session at 2:05 p.m.

Supervisor Howard thanked Chairman Gendron for his dedication this year and appreciated his presence at the state level.

Supervisor Fagan also thanked Chairman Gendron for his time and effort. He further stated that there were many long and contentious meetings this year.

There being no further business, the Board adjourned "sine die" at 2:10 p.m., upon a motion by Supervisor Waldron, seconded by Supervisor Kemper and unanimously carried.

Certified by:

*Jon R. Stead, Administrative Officer/ Date
Clerk of the Board*

Resolution No. 497

Supervisors KEMPER AND FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING CONTRACT WITH ADIRONDACK PARK
LOCAL GOVERNMENT REVIEW BOARD FOR COUNTY PROMOTIONS (2013)**

WHEREAS, the Board of Supervisors has identified the Adirondack Park Local Government Review Board as a necessary "Membership Association"; and

WHEREAS, the Fulton County Board of Supervisors did appropriate the sum of \$3,000.00 for the year 2013, to be paid to the Adirondack Park Local Government Review Board for County promotions, as a membership association; now, therefore be it

RESOLVED, That the Chairman of the Fulton County Board of Supervisors be authorized and empowered to sign a contract with Adirondack Park Local Government Review Board for County promotions, including a better public understanding of problems and desirable practices in conservation of natural resources for the year 2013; and, be it further

RESOLVED, That such contract shall provide, among other matters, that the right and privilege shall be reserved to the Fulton County Board of Supervisors to cancel and rescind all or any part of such contract should any program or project offered or sponsored by the Adirondack Park Local Government Review Board not meet with the approval of the Board of Supervisors; and, be it further

RESOLVED, That the County Treasurer be and hereby is authorized and directed to transmit \$3,000.00 in a single payment on or after January 1, 2013 for the year 2013 to the Adirondack Local Government Review Board, chargeable to Appropriation Account A-725-8022.414 Adirondack Local Government Review Board-Contract; and, be it further

RESOLVED, That any contract payments be stipulated upon the timely submission of an annual report for the prior program year and appropriate new contract documentation to the satisfaction of the County Auditor; and, be it further

RESOLVED, That said contract is subject to the approval of the County Attorney; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Adirondack Park Local Government Review Board, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HOWARD and adopted by the following vote:

Total: 16 Nays: 0 Absent: 4 (Supervisors Bradt, Capek, Ottalagano and Ottuso)

Resolution No. 498

Supervisors KEMPER AND FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CONTRACT WITH FULTON COUNTY REGIONAL
CHAMBER OF COMMERCE AND INDUSTRY FOR MANAGEMENT OF
COUNTY TOURISM DEVELOPMENT PROGRAM (2013)

WHEREAS, the Board of Supervisors has identified County Tourism Development as an important "Core Program";

WHEREAS, the Board did appropriate the sum of \$73,960.00 for the year 2013, to be paid to the Fulton County Regional Chamber of Commerce and Industry (Chamber) for County publicity through management of the County Tourism Development Program, within the meaning of Section 224, Subdivision 14, of the New York State County Law; and

WHEREAS, Section 224, Subdivision 1, of the New York State County Law specifically authorizes the Fulton County Board of Supervisors to enter into a contract with the Chamber if services are to be performed for the County; and

WHEREAS, that Section further provides for the rendering of a verified account of the disbursements with verified or certified vouchers attached, a refund of any unused amount and such other conditions upon the use thereof as the Board deems proper; and

WHEREAS, that Section further provides that no money shall be paid to the Chamber until execution of a contract by the principal officer and disbursing officer of the Chamber agreeing to comply with the terms of this resolution; and

WHEREAS, that Section and Article 5 of the County Law is clear that payment for services can only be authorized for those services actually rendered; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with the Fulton County Regional Chamber of Commerce for management of the County Tourism Development Program in 2013, in an amount of \$73,960.00; said contract subject to the approval of the County Attorney; and, be it further

Resolution No. 498 (continued)

RESOLVED, That the contract shall provide that payment for services by the Chamber shall be made only after the following criteria have been met:

1. Submitting a "statement of services" or a "program of events" with corresponding budget approved by the Fulton County Board of Supervisors;
2. The rendering of a verified account with verified or certified vouchers attached;
3. Before final payment can be made, a report identifying the services or events that were performed by the Chamber and an evaluation thereof;
4. A refund of any unused amount; and
5. That the Chamber will otherwise comply with all of the New York State codes, rules and regulations;

and, be it further

RESOLVED, That the cost for said program shall be provided from Appropriation Account A-565-6410.417 Publicity-Chamber/Commerce Contract; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Fulton County Area Chamber of Commerce and Industry, Budget Director/County Auditor, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor BORN and adopted by the following vote:

Total: 16 Nays: 0 Absent: 4 (Supervisors Bradt, Capek, Ottalagano and Ottuso)

Resolution No. 499

Supervisors KEMPER AND FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CONTRACT WITH FULTON COUNTY
CENTER FOR REGIONAL GROWTH FOR BUSINESS DEVELOPMENT MARKETING
(2013)

WHEREAS, the Board of Supervisors has identified Business Development Marketing as an important "Core Program"; and

WHEREAS, the Board did appropriate the sum of \$75,000.00 for the year 2013 for said program; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors, by this Resolution, authorizes the Chairman of the Board of Supervisors to sign a contract with the Fulton County Center for Regional Growth to develop and implement a Business Development Marketing Plan in 2013; said contract shall be subject to the approval of the County Attorney; and, be it further

RESOLVED, That such contract specify those services to be performed by the Fulton County Center for Regional Growth, including promoting and marketing Fulton County to attract new businesses and industries, encouraging and assisting existing business and industries, and developing and implementing other economic development initiatives; and, be it further

RESOLVED, That such contract shall provide, among other matters, that the right and privilege shall be reserved to the Fulton County Board of Supervisors to cancel and rescind such contract upon 60 days notice should any program or project offered or sponsored by the Center for Regional Growth not meet with the approval of the Board of Supervisors; and, be it further

RESOLVED, That the Fulton County Center for Regional Growth shall be paid the sum of \$75,000.00 for such services and such payments will be in twelve (12) equal installments with final payment to be submitted only after receipt of an Annual Report as specified by the aforementioned contract; and, be it further

RESOLVED, That any contract payments be stipulated upon the timely submission of an annual report for the prior program year and appropriate new contract documentation to the satisfaction of the County Auditor; and, be it further

RESOLVED, That the cost for said program shall be provided from Appropriation Account A-565-6420.422 Prom. Ind.-FC Ec. Dvlpt.; and, be it further

Resolution No. 499 (continued)

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Fulton County Center for Regional Growth, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor PONTICELLO and adopted by the following vote:

Total: 448 (15) Nays: 28 (1) (Supervisor Potter) Absent: 75 (4) (Supervisors Bradt, Capek, Ottalagano and Ottuso)

Resolution No. 500

Supervisors KEMPER AND FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION APPROPRIATING MONIES FOR FULTON COUNTY
SOIL AND WATER CONSERVATION DISTRICT (2013)**

WHEREAS, by Local Law, Fulton County created and established the Fulton County Soil and Water Conservation District to exist within its borders; and,

WHEREAS, the Board of Supervisors has identified Fulton County Soil and Water Conservation as an important "Core Program"; and

WHEREAS, the Fulton County Board of Supervisors has, pursuant to Section 223 of County Law, appropriated for such District the sum of \$39,020.00 for the year 2013; now, therefore be it

RESOLVED, That the Chairman of the Fulton County Board of Supervisors be and hereby is authorized and empowered to sign a contract with the Soil Conservation District for a sum of \$39,020.00 for said services, with such payments to be made in two (2) equal installments on the last day of January and June, with the first payment to be submitted only after receipt of the required annual report; and, be it further

RESOLVED, That such contract shall provide, among other matters, that the right and privilege shall be reserved to the Fulton County Board of Supervisors to cancel and rescind all or any part of such contract should any program or project offered or sponsored by such Soil Conservation District not meet with the approval of the Board of Supervisors; and, be it further

RESOLVED, That any contract payments be stipulated upon the timely submission of an annual report for the prior program year and appropriate new contract documentation to the satisfaction of the County Auditor; and, be it further

RESOLVED, That said contract shall be subject to the approval of the County Attorney; and, be it further

RESOLVED, That the cost for said program shall be provided from Appropriation Account A-725-8730.417 Soil Conservation-Expenses; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, NYS Soil Conservation Committee (Ithaca, NY), Fulton County Soil Conservation District, Budget Director/ County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor DIGIACOMO and adopted by the following vote:

Total: 16 Nays: 0 Absent: 4 (Supervisors Bradt, Capek, Ottalagano and Ottuso)

Resolution No. 501

Supervisors DIGIACOMO AND FAGAN offered the following Resolution and moved its adoption:

RESOLUTION APPROPRIATING MONIES FOR COMMUNITY SERVICES
FOR 2013

RESOLVED, That the sum of \$190,973.00 be and the same is hereby appropriated for the Fulton County Community Services Board for the year 2013 (exclusive of fringe benefits and maintenance in lieu of rent); and, be it further

RESOLVED, That the Fulton County Treasurer apply for State Aid from the State of New York for the reimbursement due to the County of Fulton in accordance with the provisions of the Mental Hygiene Law; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, NYS Department of Mental Hygiene, Fulton County Community Services Board, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WALDRON and adopted by the following vote:

Total: 16 Nays: 0 Absent: 4 (Supervisors Bradt, Capek, Ottalagano and Ottuso)

Resolution No. 502

Supervisors DIGIACOMO AND FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION APPROPRIATING MONIES FOR THE
FULTON COUNTY VETERANS AGENCY FOR 2013**

RESOLVED, That pursuant to Section 361 of Executive Law, there be and hereby is appropriated the sum of \$61,964.00 for fiscal year 2013 for the Fulton County Veterans Service Agency and that application be made by the County Treasurer for State Aid as is provided by said Law; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, NYS Director of Veterans Service Agency, Fulton County Veterans Agency, Budget Director/ County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HANDY and adopted by the following vote:

Total: 16 Nays: 0 Absent: 4 (Supervisors Bradt, Capek, Ottalagano and Ottuso)

Resolution No. 503

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION RECLASSIFYING SENIOR ACCOUNT CLERK TO PERSONNEL CLERK IN THE PERSONNEL DEPARTMENT

WHEREAS, the Personnel Director has reviewed the duties and responsibilities of a Senior Account Clerk position in the Personnel Department and has determined that said title should be reclassified to Personnel Clerk to more accurately reflect the duties of said position; now, therefore be it

RESOLVED, That upon the recommendation of the Personnel Director and Committee on Personnel, effective immediately, a Senior Account Clerk position (Non-Union Job Group A/T-1; 2012 start rate \$23,985.00) in the Personnel Department be and hereby is reclassified to Personnel Clerk (Non-Union Job Group A/T-1); 2012 start rate of \$21,819.00); and, be it further

RESOLVED, That the Personnel Director do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Personnel Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FAGAN and adopted by the following vote:

Total: 16 Nays: 0 Absent: 4 (Supervisors Bradt, Capek, Ottalagano and Ottuso)

Resolution No. 504

Supervisors WALDRON AND FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CONTRACT WITH CITIZENS IN COMMUNITY SERVICES FOR ALTERNATIVES TO INCARCERATION AND PRE-TRIAL RELEASE PROGRAMS (2013)

WHEREAS, the Board of Supervisors has identified "alternatives to incarceration" as an important "Core Program"; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized and empowered to execute a contract with Citizens in Community Services, Inc., to provide an "Alternative Sentencing/Pre-Trial Release Program for Fulton County, as described in its proposal, at a cost on an annualized basis not to exceed \$71,400.00; such contract to become effective from and as of January 1, 2013 through December 31, 2013; and, be it further

RESOLVED, That the Citizens in Community Services, Inc. is hereby authorized and directed to apply for appropriate State aid reimbursement for said program on behalf of the County; and, be it further

RESOLVED, That the Citizens in Community Services, Inc., shall be paid the sum of \$71,400.00 for such services upon rendering of a verified account with verified or certified vouchers attached, with final payment to be submitted only after receipt of the required annual report; and, be it further

RESOLVED, That any contract payments be stipulated upon the timely submission of an annual report for the prior program year and appropriate new contract documentation to the satisfaction of the County Auditor; and, be it further

RESOLVED, That said contract be subject to the approval of the County Attorney; and, be it further

RESOLVED, That the cost for said program shall be provided from Appropriation Account A-345-3157.414 Alt. to Inc./Pre-Trial Release; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Citizens in Community Services, Inc., Administrative Judge for the Fourth Judicial District, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

Total: 16 Nays: 0 Absent: 4 (Supervisors Bradt, Capek, Ottalagano and Ottuso)

Resolution No. 505

Supervisors WALDRON AND FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CONTRACT WITH CITIZENS IN COMMUNITY SERVICE FOR COMMUNITY RESTITUTION PROGRAM (2013)

WHEREAS, the Board of Supervisors has identified "alternatives to incarceration" as an important "Core Program"; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized and directed to sign a contract with Citizens in Community Services, Inc., to provide a Community Restitution Program for the County of Fulton, as described in their proposal, at a cost on an annual basis not to exceed \$20,200.00; such contract to become effective from and as of January 1, 2013 through December 31, 2013; and, be it further

RESOLVED, That said contract shall be subject to the approval of the County Attorney; and, be it further

RESOLVED, That the Citizens in Community Services, Inc. is hereby authorized and directed to apply for appropriate State aid reimbursement for said program on behalf of the County; and, be it further

RESOLVED, That the Citizens in Community Services, Inc., shall be paid the sum of \$21,200.00 for such services, and such payments will be in twelve (12) equal installments on the last day of each month, with final payment to be submitted only after receipt of the required annual report; and, be it further

RESOLVED, That any contract payments be stipulated upon the timely submission of an annual report for the prior program year and appropriate new contract documentation to the satisfaction of the County Auditor; and, be it further

RESOLVED, That the cost for said program shall be provided from Appropriation Account A-345-3155.414 Comm. Restitution Prog. (Youth); and be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Citizens in Community Services, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

Total: 16 Nays: 0 Absent: 4 (Supervisors Bradt, Capek, Ottalagano and Ottuso)

Resolution No. 506

Supervisors WALDRON AND FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CONTRACT WITH CITIZENS IN COMMUNITY SERVICE FOR THE 2013 COMMUNITY SERVICE YOUTH PROGRAM

WHEREAS, the 2013 Adopted budget identifies a \$6,000.00 funding contribution for Citizens in Community Service to operate the Community Service Youth Program; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with Citizens in Community Services, Inc., to operate the Community Service Youth Program in 2013, at a cost of \$6,000.00; such contract to become effective from and as of January 1, 2013 through December 31, 2013; and, be it further

RESOLVED, That said contract shall be subject to the approval of the County Attorney; and, be it further

RESOLVED, That the Citizens in Community Services, Inc. is hereby authorized and directed to apply for appropriate State aid reimbursement for said program on behalf of the County; and, be it further

RESOLVED, That any contract payments be stipulated upon the timely submission of an annual report for the prior program year and appropriate new contract documentation to the satisfaction of the County Auditor; and, be it further

RESOLVED, That the cost for said program shall be provided from A-345-3155.414 Comm. Restitution Prog. (Youth); and be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Citizens in Community Services, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor PONTICELLO and adopted by the following vote:

Total: 16 Nays: 0 Absent: 4 (Supervisors Bradt, Capek, Ottalagano and Ottuso)

Resolution No. 507

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION RESCINDING RESOLUTION 402 OF 2012 WHICH AUTHORIZED
CLOSEOUT OF HANDICAPPED PARKING EDUCATION ACCOUNT AND PURCHASE
OF CERTAIN EQUIPMENT (SHERIFF)**

WHEREAS, Resolution 402 of 2012 authorized the closeout of the Handicapped Parking Education Reserve account and purchase of certain equipment in the Sheriff's Department, in the amount of \$7,890.00; and

WHEREAS, the County Treasurer and Sheriff have determined that this account needs to remain active because additional fine revenue will be received from local court proceedings; inasmuch as statutes governing the Handicapped Parking Education Program are still in effect in the future; now, therefore be it

RESOLVED, That Resolution 402 of 2012 entitled "Resolution Authorizing Closeout of Handicapped Parked Education Account and Purchase of Certain Equipment" be and hereby is rescinded in its entirety; and, be it further

RESOLVED, That the Sheriff and Budget Director do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor KINOWSKI and adopted by the following vote:

Total: 16 Nays: 0 Absent: 4 (Supervisors Bradt, Capek, Ottalagano and Ottuso)

Resolution No. 508

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING DISPOSAL OF CERTAIN SURPLUS EQUIPMENT

WHEREAS, the Purchasing Agent recommends disposal of broken equipment in certain departments; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized to dispose of the following County surplus equipment, in accordance with the Fulton County Purchasing and Audit Guidelines:

Social Services:

½ Booster Car Seat (No BC) (Purchase Date Unknown)(Expired 2/24/11)

½ Booster Car Seat (No BC) (Purchase Date Unknown)(Expired 2/24/11)

and, be it further

RESOLVED, That the Superintendent of Highways and Facilities, Solid Waste Director and Purchasing Agent be and hereby are directed to arrange for the disposal of the listed surplus as scrap and/or refuse, to be coordinated with the Solid Waste Department's current bulky metals contract, as necessary; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Social Services Commissioner, Superintendent of Highways and Facilities, Solid Waste Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

Total: 16 Nays: 0 Absent: 4 (Supervisors Bradt, Capek, Ottalagano and Ottuso)

Resolution No. 509

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CERTAIN TRANSFERS AND BUDGET AMENDMENTS

RESOLVED, That the County Treasurer be and hereby is directed to make the following transfers:

From: A-045-1165.202 DA-Equipment (Victim Advocate)

To: A-045-1165.465 DA-Crime Victim Grant

Sum: \$260.00

From: A-075-1185.453 Coroner-Supplies

\$600.00

A-075-1185.456 Coroner-Printing

100.00

\$700.00

To: A-075-1185.100 Coroner-P/R

\$700.00

From: A-285-1990.400 Contingent Fund Expense

To: A-295-2490.417 Community College Tuition-Others

Sum: \$10,000.00

From: A-285-1990.400 Contingent Fund Expense

To: A-505-6020.400 RHCF-Post Closing Contractual

Sum: \$9,524.00

From: EW-865-8160.850 Solid Wst Adm-Med. Empire

\$3,772.25

To: EW-865-8160.160 Solid Wst Adm- Insurance Declinations

\$ 875.00

EW-865-8160.810 Solid Wst Adm-Retirement

1,797.25

EW-865-8160.820 Solid Wst Adm-FICA

1,100.00

\$3,772.25

From: EW-865-8162.452 Cent Landfill Oprns-Leachate Treatment

To: EW-865-8162.810 Cent Landfill Oprns-Retirement

Sum: \$14,180.75

and, be it further

Resolution No. 509 (continued)

RESOLVED, That the 2012 Adopted Budget be and hereby is amended, as follows:

Revenue:

Increase A-083-2680.000 Insurance Recoveries \$5,173.00

Appropriation:

Increase A-305-3110.403 Sheriff Dept-Repairs, Reg Tuneups \$5,173.00

Revenue:

Increase A-083-3090.000 State Aid-Mass Transportation \$56,300.00

Appropriation:

Increase A-465-5630.414 Bus Operations-Exp/Mass Trans Contr \$56,300.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, District Attorney, Coroner, Sheriff, Solid Waste Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

Total: 16 Nays: 0 Absent: 4 (Supervisors Bradt, Capek, Ottalagano and Ottuso)

Resolution No. 510

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AWARDING BID FOR HYDRAULIC LOAD CELLS FOR WEIGHT SCALE AT THE SOLID WASTE DEPARTMENT (2012 CAPITAL PLAN)

WHEREAS, the 2012 Capital Plan identifies a hydraulic load cells replacement for the weight scale for use in the Solid Waste Department; and

WHEREAS, Resolution 375 of 2012 authorized advertisement for bids for the purchase of hydraulic load cells for the weight scale at the Solid Waste Department and one (1) bid was received; and

WHEREAS, the Director of Solid Waste recommends the purchase of the hydraulic load cells from sole bidder Scale Service & Supply Co., Inc. of Rensselaer, NY; now, therefore be it

RESOLVED, That the net bid, in an amount of \$29,945.00, as submitted by Scale Service & Supply Co., Inc. of Rensselaer, NY for the purchase of hydraulic load cells for the weight scale for use in the Solid Waste Department be and hereby is awarded; they being the lowest responsible bidder in accordance with Specification No. 2012-86-06, dated November 26, 2012; and, be it further

RESOLVED, That the cost of the hydraulic load cells will be a charge against the EW-865-8162.201; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Director of Solid Waste, Scale Service & Supply Co., Inc., Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WALDRON and adopted by the following vote:

Total: 16 Nays: 0 Absent: 4 (Supervisors Bradt, Capek, Ottalagano and Ottuso)

Resolution No. 511

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE PURCHASE OF CERTAIN COMPUTERS AND COMPUTER SOFTWARE FOR USE IN THE INFORMATION SERVICES DEPARTMENT

WHEREAS, the Information Services Director requested permission to transfer funds within accounts to purchase two (2) Apple iPad's for use in the Information Services Department; and

WHEREAS, the Information Services Director also requested permission to purchase a Microsoft Technet subscription for use in the Information Services Department; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Finance, the Information Services Director be and hereby is authorized to purchase two (2) Apple iPad's, at a cost not to exceed \$1,150.00; and, be it further

RESOLVED, That upon the recommendation of the Committee on Finance, the Information Services Director be and hereby is authorized to purchase one Microsoft Technet subscription at a cost to exceed \$316.20 and charge to A-275-1680.413 Information Services-Maint Contracts; and, be it further

RESOLVED, That the County Treasurer be and hereby is directed to make the following transfer:

From: A-275-1680.409 Information Services-Professional Svcs
To: A-275-1680.200 Information Services-Equipment
Sum: \$1,150.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Information Services Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor KINOWSKI and adopted by the following vote:

Total: 16 Nays: 0 Absent: 4 (Supervisors Bradt, Capek, Ottalagano and Ottuso)

Resolution No. 512

Supervisor WALDRON offered the following Resolution and moved its adoption:

RESOLUTION IN MEMORY OF FORMER SUPREME COURT JUDGE CARROL S. WALSH, JR.

WHEREAS, former Supreme Court Judge Carrol S. Walsh, Jr. passed away on Monday, December 17, 2012; and

WHEREAS, the people of Fulton County were saddened by the loss of a good friend and benefactor in public service; and

WHEREAS, Carrol S. Walsh, Jr. served as New York State Supreme Court Justice in 1977 through 1988; and

WHEREAS, Carrol S. Walsh, Jr. served as Fulton County Judge and Surrogate in 1969; and

WHEREAS, Judge Walsh was a World War II combat veteran, having served in the 743rd Tank Battalion and received a battlefield commission in the European Theater, awarded a Presidential Unit Citation, Purple Heart and battle stars for five major campaigns; and

WHEREAS, Judge Walsh also was a Little League, Babe Ruth League and CYO basketball coach and was a member of numerous professional, fraternal and social organizations including the Johnstown Public Library, Johnstown YMCA and the Johnstown United Way; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors joins with all the people of Fulton County to posthumously express its gratitude to Carrol S. Walsh, Jr. for his dedicated service in the Judiciary; and, be it further

RESOLVED, That the Board of Supervisors hereby conveys its expression of deepest sympathy to his entire family, including his wife Dorothy, his children Thomas, Terrence, Sharon and Elizabeth, grandchildren and great-grandchildren; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the family of Carrol S. Walsh, Jr. and to each and every other person, institution or agency who will further the purport of this Resolution.

Seconded by SILENT STANDING and adopted by the following vote:

Total: 16 Nays: 0 Absent: 4 (Supervisors Bradt, Capek, Ottalagano and Ottuso)

Resolution No. 513

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING SALE OF COUNTY-OWNED PROPERTIES NOT MEETING THE SET MINIMUM AUCTION PRICE (2012 ONLINE SALE)

WHEREAS, a public on-line auction for the sale of County-owned property was held on Tuesday, November 27, 2012; and

WHEREAS, Resolution No. 215 of 1997 established a procedure to set minimum bids for tax acquired properties subject to public auction, specifying that all bids over the minimum be final and executable by the County Treasurer; and

WHEREAS, certain bids received did not meet the minimum set bid prices previously established by the Board of Supervisors; and

WHEREAS, the Committee on Finance has reviewed the list of bids not meeting the minimum and determined it would be in the County's best interest to accept bids below the minimum on certain parcels in order to place them back on the active tax rolls; now, therefore be it

RESOLVED, That in addition to the parcels meeting the minimum, the County Treasurer be and hereby is authorized to sell other County-owned properties at the identified auction bid price below the minimum, included on the attached list; and, be it further

RESOLVED, That the County Treasurer be directed to record the appropriate deed after the execution thereof and to bill the purchasers the proper fees, as well as do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer and Clerk of the Board/Purchasing Agent.

Seconded by Supervisor KINOWSKI and adopted by the following vote:

Total: 16 Nays: 0 Absent: 4 (Supervisors Bradt, Capek, Ottalagano and Ottuso)

**Tax Acquired Property Auction
November 27, 2012 On-line Auction
Properties Not Meeting the Minimum Bid**

<u>Town/SBL</u>	<u>Purchaser</u>	<u>Tax Amount</u>	<u>Bid Accepted</u>
Johnstown 134.16-11-7	Harbhajan Harvey Uppal	\$ 702.87	\$ 100.00
Oppenheim: 93.-1-2	Harbhajan Harvey Uppal	\$ 679.58	\$ 100.00
Town of Stratford: 63.2-1-6	Nancy Terranova	\$ 308.51	\$ 125.00
Town of Stratford: 63.2-1-8	Nancy Terranova	\$ 550.00	\$ 100.00
City of Gloversville: 134.12-2-1	Harbhajan Harvey Uppal	\$ 908.06	\$ 100.00
134.12-2-2	Harbhajan Harvey Uppal	445.20	100.00
134.18-14-6	Harbhajan Harvey Uppal	8,700.33	100.00
134.18-19-13	Frenchy's Consulting LLC	10,097.24	600.00
134.19-15-4	Frenchy's Consulting LLC	8,403.14	100.00
149.7-14-9	Frenchy's Consulting LLC	8,701.26	550.00
148.8-4-21	Harbhajan Harvey Uppal	433.80	300.00
149.10-5-13			
149.10-5-14	Harbhajan Harvey Uppal	22,245.94	100.00
149.10-13-12	Joseph B. Hart	7,091.04	100.00
149.7-10-7	Harbhajan Harvey Uppal	1,797.11	100.00
149.9-2-05	Harbhajan Harvey Uppal	18,636.00	100.00

Resolution No. 514

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION APPROVING MINUTES OF LAST SESSION

RESOLVED, That the minutes of this meeting, as prepared and arranged by the Administrative Officer/Clerk of the Board of Supervisors, be and the same are prepared as the minutes of the last session of the Board of Supervisors of Fulton County for the year 2012.

Seconded by Supervisor HOWARD and adopted by the following vote:

Total: 16 Nays: 0 Absent: 4 (Supervisors Bradt, Capek, Ottalagano and Ottuso)